

MEMO ENDORSEDUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKIN RE BAYOU HEDGE FUND INVESTMENT
LITIGATION

THIS DOCUMENT RELATES TO:

DEPAUW UNIVERSITY,

Plaintiff,

vs.

HENNESSEE GROUP LLC,
CHARLES GRADANTE and
E. LEE HENNESSEE,

Defendants.

TO: David Herzog
Baker & Daniels
300 North Meridian Street, Suite 2700
Indianapolis, Indiana 46204
Attorneys for Plaintiff Depauw University

SIRS:

PLEASE TAKE NOTICE that on the Declaration of Charles Gradante, the documents attached thereto and accompanying Brief, the undersigned, attorneys for Defendants, Hennessee Group LLC, Charles Gradante and E. Lee Hennessee, will move this Court before the Honorable Colleen McMahon, U.S.D.J. at the United States District Court for the Southern District of New York located at 300 Quarropas Street, White Plains, New York, at a time and date convenient to the Court, for an Order compelling arbitration of all of Plaintiff's claims against the Defendants

7/14/06

Motion granted
on consent. ^{inaction}
is stayed

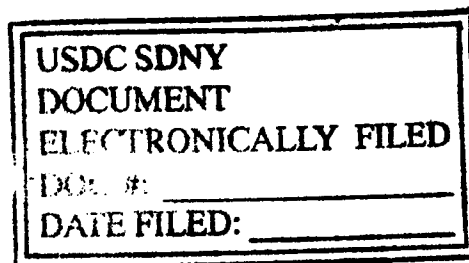
06 MD 1755 (CM)

pending
arbitration.

No.: 06-cv-03028 (CM)

Celle
M/WNOTICE OF MOTION
TO STAY THIS PROCEEDING
AND COMPEL ARBITRATION
OF PLAINTIFF'S CLAIMS

Electronically Filed



pursuant to Section 4 of the Federal Arbitration Act ("FAA") and staying the litigation of Plaintiff's claims against Defendants pending the completion of the arbitration proceeding pursuant to Section 3 of the FAA.

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested.

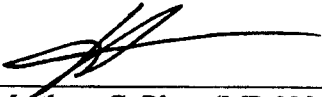
Dated: May 31, 2006

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Hennessee Group LLC,
Elizabeth Lee Hennessee and
Charles Gradante

By: 
Lawrence E. Fenster (LF 9378)

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2006, a copy of the *Notice of Motion, to Stay This Proceeding And Compel Arbitration of Plaintiff's Claims* was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.



Matthew C. Plant (MP 0328)

Minute Entry for proceedings held before Judge Colleen McMahon : Interim Pretrial Conference held on 04/28/06 at (40 Foley Square, Room 110) as to all matters and argument was heard on Motion to appoint receiver. Court set schedule for the filing of Motions to dismiss. The Court also signed an order appointing receiver. (See order dated April 28, 2006). The matter is adjourned sine die. Submitted By: Jim O'Neill, Clerk. (Court Reporter Pamela Utter) (dcr,) (Entered: 05/02/2006)